

# PRESS RELEASE

January 28, 2003

**RE: UNITED STATES v. GARLAND C. WARE and  
UNITED STATES v. JERMAINE J. MCGOWAN**

United States Attorney Michael A. Battle, announced today the filing of two Criminal Complaints on Saturday, January 25, 2003.

The first Criminal Complaint charges Garland C. Ware, age 43, of Cleveland, Ohio, with violating Title 18, United States Code, Section 2320 carrying a maximum penalty of 10 years imprisonment and a fine of \$2,000,000.00. Ware has also been charged with violating Title 18, United States Code, Section 1001 (making false statements to federal officers), which carries a maximum penalty of 5 years imprisonment and a fine of \$250,000.00. Finally, Ware has been charged with violating Title 18, United States Code Section 472 (possessing a counterfeit \$20 bill), which carries a maximum penalty of 20 years imprisonment and a fine of \$250,000.00.

The second Criminal Complaint, filed Saturday, charges Jermaine J. McGowan, age 30, of Euclid, Ohio, with violating Title 18, United States Code, Section 2320 which carries a maximum penalty of 10 years imprisonment and a fine of \$2,000,000.00.

It should be noted that "the fact that a defendant has been charged with a crime . . . is merely an accusation and the defendant is presumed innocent until and unless proven

guilty. (**Disciplinary Rule 7-107(B)(6)**).

Assistant U.S. Attorney Allison P. Gioia, who will handle the case, stated that the Criminal Complaints charge the defendants Ware and McGowan with trafficking or attempting to traffic in counterfeit tickets for Super Bowl XXXVII. The Complaints allege that on January 24, 2003, the defendants were referred for secondary inspection by U.S. Immigration and U.S. Customs at the Lewiston Bridge. The Complaints further allege that during an inspection of the vehicle, U.S. Customs Inspectors found what appeared to be 232 counterfeit Super Bowl XXXVII tickets, each having a face value of \$400.00. In addition, U.S. Customs Inspectors found an original, genuine Super Bowl XXXVII ticket that could have been the source ticket from which the counterfeit tickets could have been produced.

The Complaint against Ware alleges that while awaiting inspection at the border, Ware fled on foot and was later apprehended by New York State Police on Grand Island. Ware has also been charged with possessing a counterfeit \$20 bill and making false statements to federal officers.

Defendants Ware and McGowan were in Court this afternoon for a detention hearing before United States Magistrate Judge H. Kenneth Schroeder, Jr. By Order of Magistrate Judge Schroeder, Ware will remain in the custody of the U.S. Marshal Service pending further proceedings and McGowan was released on a \$5,000 signature bond.

The arrests and filing of Criminal Complaints against these two individuals resulted from a joint effort by the United States Secret Service, under the direction of Special Agent in Charge Timothy Koerner, the United States Immigration & Naturalization Service, under the direction of District Director M. Frances Holmes, and the United States Customs Service, under the direction of Special Agent in Charge Peter Smith.

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